

IN RE: PETITION FOR VARIANCE
NE/Corner Liberty Road
and Marriottsville Road
(Marriottsville Plaza)
2nd Election District
2nd Councilmanic District
Marriottsville Associates
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-35-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the owners of the subject property, Marriottsville Associates, by Stanley Orlove, Managing General Partner, through their attorneys, Julius W. Lichter, Esquire and Kathryn T. May, Esquire. The Petitioners seek relief from Section 409.6A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 310 parking spaces in lieu of the required 431 for a proposed Church, in accordance with Petitioner's Exhibits 1 and 2.

Appearing on behalf of the Petition were Stanley Orlove, General Partner, and Pastor Donald W. Lewis and Danielle C. Lewis. Also appearing on behalf of the Petitioners was Kenneth Colbert, Professional Engineer. Appearing in opposition to the relief requested were Harold and Ethel Carter, nearby residents of the area.

Testimony indicated that the subject property consists of a gross area of 6.9515 acres, more or less, split zoned B.L.-C.C.C. and B.L.-C.N.S., and is the site of a strip shopping center known as the Marriottsville Plaza. Pastor Lewis testified that he has lived in the area for the past 16 years and that he started the Christian Life Church in September, 1989. He testified that his Church currently leases approximately 2,000 sq.ft. of space from the subject shopping center. Testimony indicated that at

the present time, the congregation consists of 130 members and is in desperate need of more space. Pastor Lewis testified that he has entered into a lease agreement with the Petitioners to rent an additional 4,000 sq.ft. of space within the shopping center to expand his Church. By virtue of his need to rent a larger portion of the subject shopping center, the requested parking variance is necessary.

Mr. Kenneth Colbert testified on behalf of the Petitioners that the shopping center would need a variance from parking regulations regardless of whether the Church rented additional space. Testimony indicated that the variance would be necessary given the current conditions of the property. However, since the Church wishes to occupy additional space within the shopping center, the Petitioners have requested the variance on their behalf.

Pastor Lewis further testified as to the hours of operation of his Church. He stated that the Church is open on Wednesday evenings from 7:00 PM to 9:30 PM and on Sundays from 10:30 AM to 1:00 PM. Pastor Lewis testified that the Church is in service during off-peak hours that the other businesses are operating in the center and as a result, there is no parking conflict with other tenants in the shopping center. He stated that there has always been more than adequate parking during the times Church is in session.

Mr. Stanley Orlove, Managing General Partner of the subject property testified concerning the shopping center. He testified that his partnership has experienced a considerable number of vacancies in recent years and is currently operating at a 45% vacancy rate. Mr. Orlove testified that he has had difficulty attracting tenants to the shopping center and would like to continue to work with the Church and provide space to

- 2 -

them. He testified that the Church has been an excellent tenant and that they have done alot of community work in the surrounding neighborhood, particularly with juveniles. He also testified that he has received no complaints from any other tenants regarding the Church operation.

As to comments received from the Office of Planning and Zoning concerning landscaping for the subject site, Mr. Orlove testified that the landscaping being required by Baltimore County will cost the owners a tremendous amount of money. Given the 45% vacancy rate at the present time, to require landscaping of this magnitude would be cost-prohibitive.

Testimony offered by Mr. Colbert was that the required landscaping has been estimated to cost approximately \$30,000. There was no contradicting testimony as to the amount of money needed to perform the necessary landscaping. Further, Mr. Colbert and Mr. Orlove testified that there is no space available to provide landscaping on the site, in that all available space is being utilized for parking. In order to provide landscaping, several parking spaces would have to be removed. Mr. Orlove and Mr. Colbert did identify a grassy strip which runs along Liberty Road, but stated that this strip of land is located within a State Highway Administration (SHA) right-of-way and that they would not be permitted to landscape that strip. On this point, there was no testimony to the contrary.

Mrs. Ethel Carter appeared and testified in opposition to the Petitioners' request. Mrs. Carter stated that she is opposed to the variance requested and does not believe that it is appropriate for a Church to operate from a shopping center. She testified that she has received complaints from tenants in the shopping center about its operation from this location. She further stated that there have been problems requiring Police intervention concerning a tenant who was operating from the subject

- 3 -

center. In response to the concerns raised by Mrs. Carter, Mr. Orlove responded that the tenant in question had been removed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Peti-

- 4 -

tioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of August, 1993 that the Petition for Variance requesting relief from Section 409.6A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 310 parking spaces in lieu of the required 431 for a proposed Church, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The parking variance granted herein is limited to the use of the property by the Christian Life Church. In the event the Church ceases to operate from the subject property, the variance granted herein shall be rescinded.
- 3) The handicapped parking spaces provided by the Petitioners shall be relocated closer to the proposed Church entrance.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy W. Kotroco
TIMOTHY W. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

August 27, 1993

(410) 887-4386

Julius W. Lichter, Esquire
Kathryn T. May, Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NE/Corner Liberty Road and Marriottsville Road
(Marriottsville Plaza)
2nd Election District - 2nd Councilmanic District
Marriottsville Associates - Petitioners
Case No. 94-35-SPH

Dear Mr. Lichter & Ms. May:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy W. Kotroco
TIMOTHY W. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Pastor Donald W. Lewis
3400 Courtleigh Drive, 21207

Mr. Kenneth Colbert
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

Mr. & Mrs. Harold R. Carter
9820 Clanford Road, Randallstown, Md. 21133

People's Counsel; File

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at N.E. intersection Liberty Road
and Marriottsville Road

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)
409.6A.2 to permit 310 parking spaces in lieu of the required 431.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

existing site conditions and additional reasons to be presented at the public hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease:

(Type or Print Name)

Signature

Address

City

State

Zip

Telephone

Signature

Address

City

State

Zip

Telephone

Signature

Address

City

State

Zip

Telephone

Signature

Address

City

State

Zip

Telephone

With an attorney's declaration and affidavit, under the penalty of perjury, that there are the legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Legal Owner(s):

Signature(s):

Address:

City:

State:

Zip:

Telephone:

Signature:

Address:

City:

State:

Zip:

Telephone:

Signature:

Address:

City:

State:

Zip:

Telephone:

Signature:

Address:

City:

State:

Zip:

Telephone:

Signature:

Address:

City:

State:

Zip:

Telephone:

COLBERT ENGINEERING, INC.

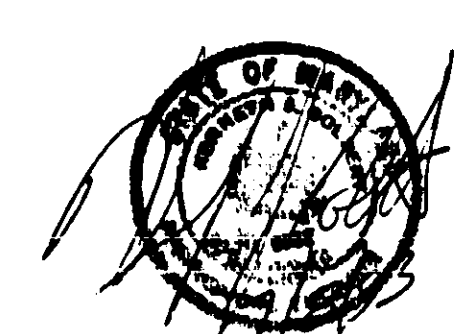
3723 OLD COURT ROAD • SUITE 206
BALTIMORE, MARYLAND 21208
PHONE: (410) 853-3888
FAX: (410) 853-7953

ZONING DESCRIPTION
MARIOTTVILLE PLAZA
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT ON THE NORTH SIDE OF LIBERTY ROAD (80 FEET WIDE) AT ITS INTERSECTION WITH THE EAST SIDE OF MARIOTTVILLE ROAD (60 FEET WIDE) AND RUNNING THENCE ALONG THE PILLET, NORTH 18 DEGREES 53 MINUTES 07 SECONDS WEST, 23.51 FEET, THENCE ALONG THE EAST SIDE OF MARIOTTVILLE ROAD BY A CURVE TO THE LEFT WITH A RADIUS OF 1279.43 FEET FOR A DISTANCE OF 226.80 FEET, THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING NORTH 87 DEGREES 07 MINUTES 40 SECONDS EAST, 131.30 FEET, THENCE SOUTHERLY BY A CURVE TO THE LEFT WITH A RADIUS OF 125.00 FEET FOR A DISTANCE OF 118.74 FEET, THENCE SOUTH 57 DEGREES 18 MINUTES 02 SECONDS EAST, 164.69 FEET, THENCE EASTERLY BY A CURVE TO THE LEFT WITH A RADIUS OF 125.00 FEET FOR A DISTANCE OF 114.22 FEET, THENCE SOUTH 59 DEGREES 49 MINUTES 05 SECONDS EAST, 250.47 FEET, THENCE SOUTH 30 DEGREES 10 MINUTES 55 SECONDS WEST, 10.29 FEET, THENCE SOUTH 72 DEGREES 03 MINUTES 00 SECONDS EAST 167.20 FEET, THENCE SOUTHERLY BY A CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET FOR A DISTANCE OF 148.35 FEET, THENCE SOUTH 38 DEGREES 43 MINUTES 05 SECONDS WEST, 117.75 FEET, THENCE SOUTH 32 DEGREES 47 MINUTES 40 SECONDS WEST, 127.23 FEET TO THE NORTH SIDE OF THE AFOREMENTIONED LIBERTY ROAD (80 FEET WIDE) AND RUNNING THENCE NORTH 57 DEGREES 18 MINUTES 02 SECONDS WEST, 770.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.1749 ACRES (MORE OR LESS).

DESCR\HARRIOTS.ZON



CIVIL ENGINEERS • LAND SURVEYORS

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: August 9, 1993

SUBJECT: Marriottsville Shopping Center

INFORMATION: 44-35-A

Item Number: 31

Petitioner: Marriottsville Associates

Property Size:

Zoning: B.L.-C.C.C./B.L.-C.N.S.

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The Marriottsville Plaza is located in the Liberty Road Revitalization Area and is subject to the recommendations of the "1990 Liberty Action Plan Update", a document adopted by the Baltimore County Council in October of 1991. The primary purpose of the Liberty Action Plan Update is to retain and attract new businesses and improve the physical appearance of the various business districts.

The requested variance to allow 310 parking spaces in lieu of the 431 parking spaces is necessary to support an existing church, (Covenant of Christian Life Church), which has been located in the shopping center since 1989. Currently its use is expanding.

Several weekday inspections of the site revealed that vacancies exist in the shopping center and existing parking spaces are greatly underutilized. It was also evident that the existing businesses are not likely to be open on Sunday when the church generates its largest need for parking. The church has indicated that it will have two planned activities (approximately 35 people) on Tuesday and Wednesday evenings for bible study.

The Office of Planning and Zoning supports the requested parking variance with the following recommendations:

1. The variance should be for the exclusive use of the covenant of Christian Life Church.
2. The variance shall terminate with the termination of the current lease.
3. The petitioners should provide additional street trees and understory shrubbery along Liberty Road. A new landscape plan should be approved by the County's Landscape Architect.
4. Handicapped parking spaces should be relocated closer to the proposed church entrance.

Prepared by: Jeffrey M. Long

Division Chief: Carol S. Demilio

PK/JL:lw

ZAC 31/PZONE/PZAC1

Pg. 2

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Zoning Advisory Committee DATE: August 3, 1993

FROM: Captain Jerry Pfeifer

SUBJECT: August 9, 1993 Meeting

- #29 No Comments
- #30 No Comments
- #31 No Comments
- #32 No Comments
- #33 No Comments
- #34 No Comments
- #35 Building shall comply with the 1991 Life Safety Code.
- #36 Surface for Fire Department access shall be paved and capable of handling 50,000 lbs. on 2 axles.
- #37 No Comments
- #38 No Comments
- #39 No Comments

JP/dmc

RECEIVED
AUG 5 1993
ZADM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: August 23, 1993

SUBJECT: Marriottsville Shopping Center

INFORMATION: Amended Comment

Item Number: 31 (44-35-A)

Petitioner: Marriottsville Associates

Property Size:

Zoning: B.L.-C.C.C./B.L.-C.N.S.

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The Marriottsville Plaza is located in the Liberty Road Revitalization Area and is subject to the recommendations of the "1990 Liberty Action Plan Update", a document adopted by the Baltimore County Council in October of 1991. The primary purpose of the Liberty Action Plan Update is to retain and attract new businesses and improve the physical appearance of the various business districts.

The requested variance to allow 310 parking spaces in lieu of the 431 parking spaces is necessary to support an existing church, (Covenant of Christian Life Church), which has been located in the shopping center since 1989. Currently its use is expanding.

Several weekday inspections of the site revealed that vacancies exist in the shopping center and existing parking spaces are greatly underutilized. It was also evident that the existing businesses are not likely to be open on Sunday when the church generates its largest need for parking. The church has indicated that it will have two planned activities (approximately 35 people) on Tuesday and Wednesday evenings for bible study.

ZAC 31/PZONE/ZAC1

Pg. 1

The Office of Planning and Zoning supports the requested parking variance with the following recommendations:

1. The variance should be for the exclusive use of the covenant of Christian Life Church.
2. The variance should remain in affect for as long as the church use remains in the center. (Amended comment).
3. The petitioners should provide additional street trees and understory shrubbery along Liberty Road. A new landscape plan should be approved by the County's Landscape Architect.
4. Handicapped parking spaces should be relocated closer to the proposed church entrance.

Prepared by: Jeffrey M. Long

Division Chief: Carol S. Demilio

PK/JL:lw

ZAC 31/PZONE/ZAC1

Pg. 2

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER

NEC Liberty Rd. & Marriottsville Rd. (Marriottsville Plaza), : OF BALTIMORE COUNTY

2nd Election District : Case No. 94-35-A

2nd Councilmanic District : PETITIONER

MARRIOTTVILLE ASSOCIATES, :
Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carol S. Demilio
Carol S. Demilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 18th day of August, 1993, a copy of the foregoing Entry of Appearance was mailed to Julius W. Lichter, Esquire, and Kathryn T. May, Esquire, 305 W. Chesapeake Ave., Suite 113, Towson, MD 21204, Attorneys for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED
AUG 19 1993
ZADM

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 31

Petitioner: Remarco Inc. Marriottsville Associates

Location: Marriottsville Shopping Center

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Remarco Inc., attn: Stanley Orlove

ADDRESS: 11403 Cronhill Drive, Suite H
Owings Mills, MD 21117

PHONE NUMBER: 581-4949

AJ:ggs

(Revised 04/09/93)

ITEM

94-35-A

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-530-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
ATTORNEYS AT LAW
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

KATHRYN T. MAY

July 20, 1993

Larry Schmidt, Zoning Commissioner
401 Washington Avenue
Towson, Maryland 21204

RE: Petition for Parking Variance
Marriottsville Shopping Center
N.E. Intersection of Liberty & Marriottsville Roads
Petitioner: Remarco, Inc.

Dear Commissioner Schmidt:

The above referenced petition for parking variance was accepted for filing today. Because of lease obligations, the Petitioner respectfully requests an expedited hearing to consider this matter. Although the Petitioner took steps to file expeditiously, the acceptance of the petition was delayed more than once due to site plan revisions required by the Zoning Office and the subsequent time lag in getting the necessary filing appointments.

Your assistance in the scheduling of the earliest possible hearing date is appreciated. Please call me or Julius Lichter if you have any questions.

Sincerely,
Kathryn T. May
Kathryn T. May

c.c. Ms. Gwen Stephens, Zoning Office
Mr. Stanley Orlove, Remarco, Inc.

RECEIVED
20 1993
ZONING COMMISSIONER

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Edith M. Carter	9820 Clonford Rd.
Harold R. Carter	9820 Clonford Rd.
	21133

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Kathryn May	205 W. Chesapeake
Ken Colbert	3723 Old Court Road
Sam A. Davis	3400 Courtleigh Drive
Stanley S. Orlove	M 703 Crandall Rd
Danielle C. Lewis	3400 Courtleigh Drive

LIBER 6016 PAGE 618

CROSS EASEMENT AGREEMENT

THIS DEED AND CROSS EASEMENT AGREEMENT is made this day of April, 1979, by and among (i) BENTON J. PUMPIAN ("Pumpian"), (ii) BLIND FAITH PARTNERSHIP ("Blind Faith"), (iii) DRECK ASSOCIATES ("Dreck"), and (iv) AMURSTAN COMPANY ("Amurstan").

WHEREAS: Pumpian is the record title holder of a parcel of land situated on the East Side of Liberty Road in the Second Election District of Baltimore County, Maryland, such tract being known as the Marriottsville Plaza Shopping Center (hereinafter referred to as the "Old Center"), the same being described as a parcel containing 4.5235 acres of land, more or less, and being more particularly described in a Deed, dated November 15, 1967, and recorded in the Land Records of Baltimore County in Liber O.T.G. No. 4824, Folio 563, from The Marriottsville Shopping Center, Inc. to Pumpian;

WHEREAS: Blind Faith is the beneficial owner of a parcel of land situated on the East side of Liberty Road in the Second Election District of Baltimore County, Maryland, containing 0.518 acres (hereinafter referred to as the "Gas Station Tract"), more or less, as more particularly described in Exhibit 1 attached hereto and made a part hereof, of which Gas Station Tract Pumpian is the holder of legal title as nominee and trustee for Blind Faith pursuant to a Declaration of Trust, dated February 4, 1971, and recorded in the Land Records of Baltimore County at Liber O.T.G. 5165, Folio 607;

WHEREAS: Dreck is the beneficial owner of two parcels

PETITIONER'S
EXHIBIT 4

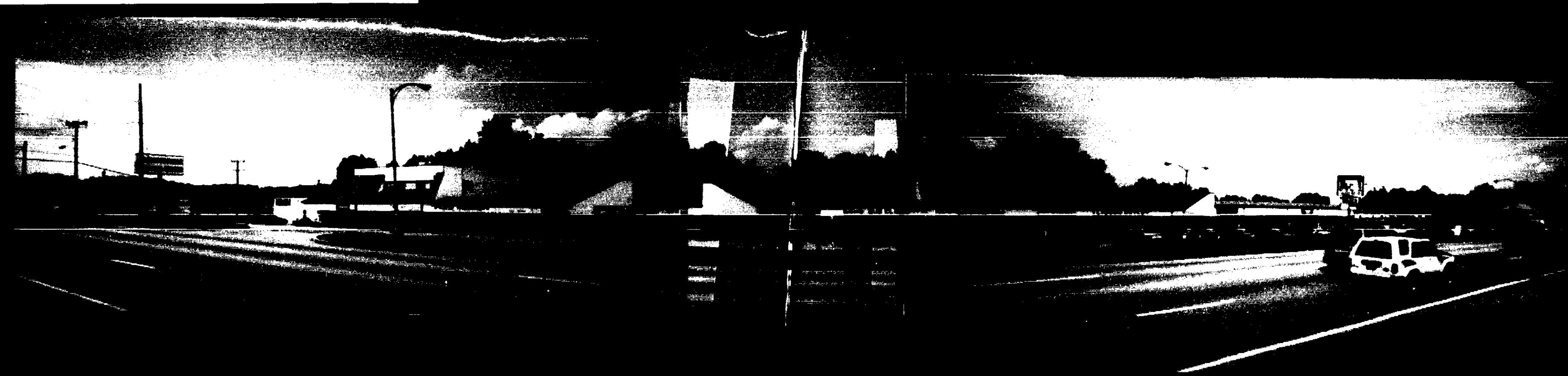
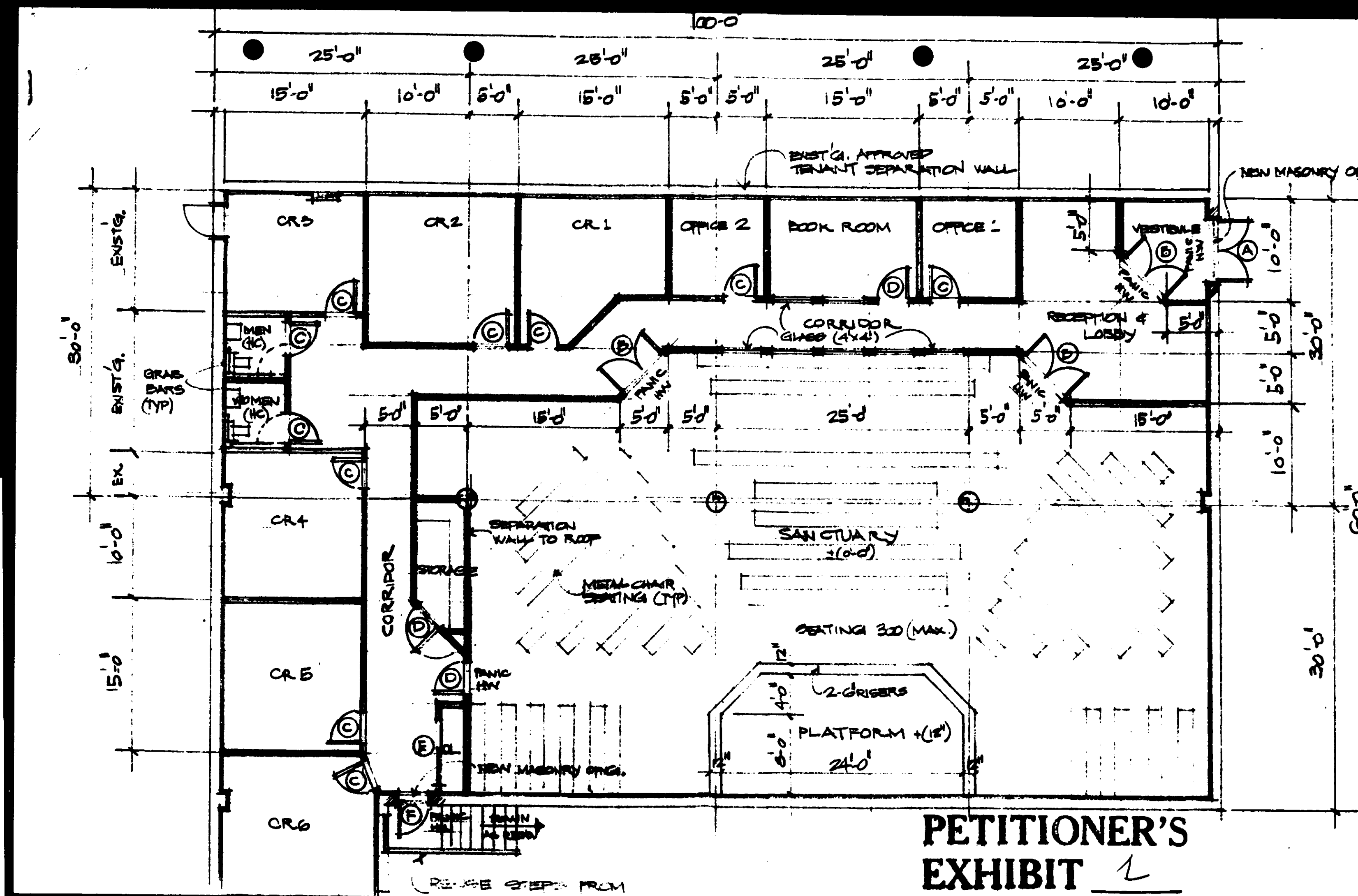
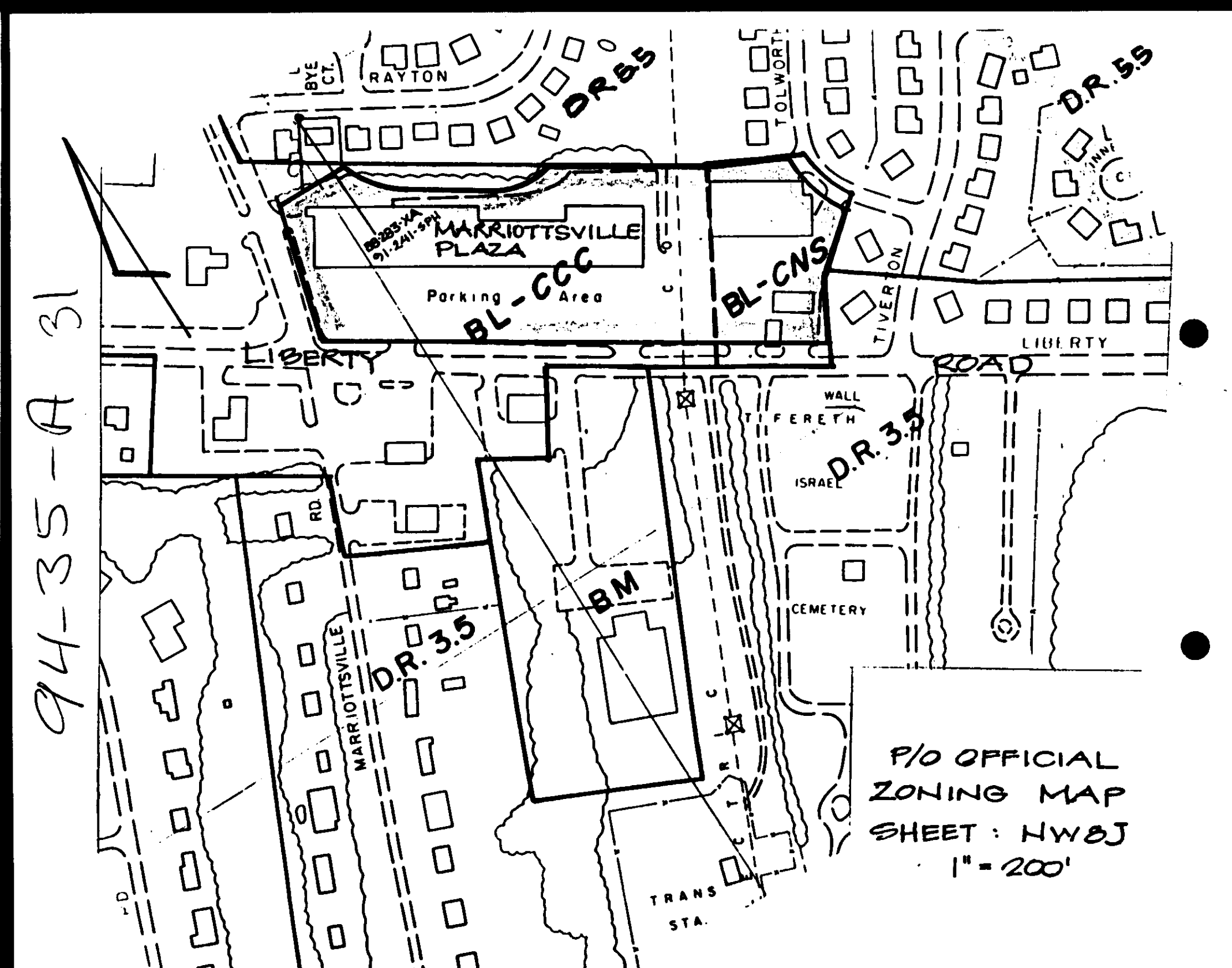
TRANSFER TAX NOT REQUIRED

William F. Laudman

Acting Director of Finance

Per: [Signature]

Authorized Signature



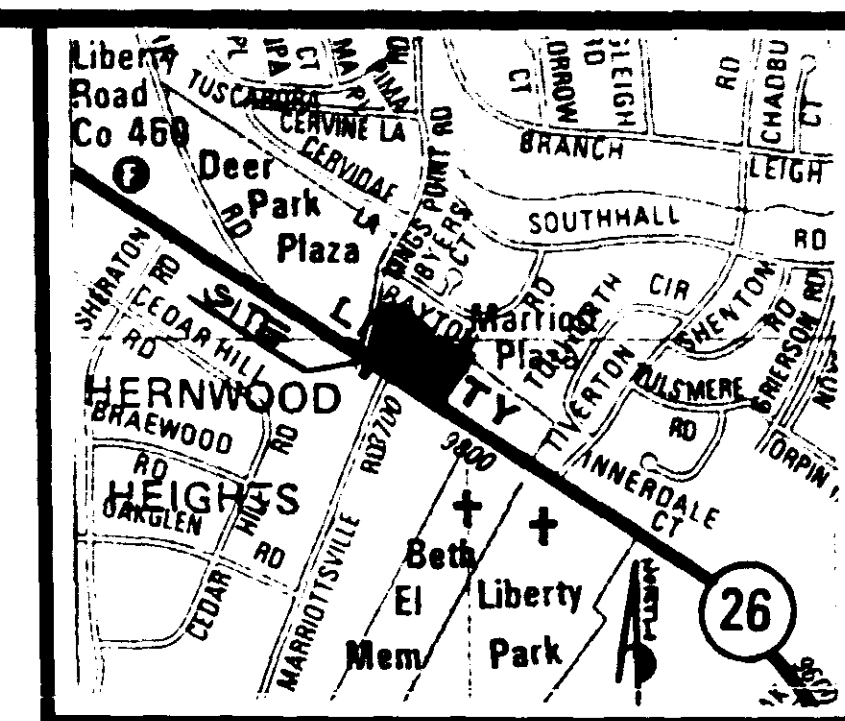
ZONING HISTORY:

- CASE NO. 90-100-R
PETITION FOR ZONING RECLASSIFICATION FROM R-10 & R-20 TO RL-1 GRANTED: 12-15-88
RESTRICTIONS: SUBMIT TO SITE PLAN APPROVAL BY STATE ROADS COMMISSION, OFFICE OF PLANNING & ZONING, BUREAU OF PUBLIC SERVICES, BALTIMORE COUNTY HEALTH DEPT. & THE BALTIMORE COUNTY FIRE BUREAU. APPEALED 1-20-89, APPEAL DENIED 7-23-89, APPEALED 9-90, APPEAL DENIED 12-30-90, APPEALED (NO DATE), APPEAL DENIED 7-6-90.
- CASE NO. 74-127-K
PETITION FOR A SPECIAL EXCEPTION TO PERMIT THE 12' X 25' ILLUMINATED ADVERTISING STRUCTURES. DENIED.
- CASE NO. 70-49-R
PETITION FOR ZONING RECLASSIFICATION FROM R-5 AND R-10 TO BL-CNS. GRANTED: 5/6/63
RESTRICTIONS: NONE

- CASE NO. 80-73-A
PETITION FOR A ZONING VARIANCE TO PERMIT A FRONT YARD SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 51.8 FEET FOR AN EXISTING SNOWBALL STAND. DENIED 10-10-88.
VARIANCES REQUESTED:
1. VARIANCE TO SECTION 400.6.A.2. OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 310 PARKING SPACES IN LIEU OF THE REQUIRED 491 PARKING SPACES.

TABULATION:

ZONING:	BL-COC	4.4842 AC +/- (51,231 SQ. FT. APPROX.)
	BL-CNS	5.1093 AC +/- (52,244 SQ. FT. APPROX.)
	BL-CNS	1.6907 AC +/- (52,244 SQ. FT. APPROX.)
	BL-CNS	1.8422 AC +/- (52,244 SQ. FT. APPROX.)
FLOOR AREA RATIO:		
BL-COC	ALLOWED: 4.0	PROPOSED: 5.2 (SEE TABULATION)
BL-CNS	ALLOWED: 3.0	PROPOSED: 1.7 (SEE TABULATION)



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

- OWNER/APPLICANT: STANLEY ORLOVE
RETIRED
11409 GARDENHILL DRIVE, STE. H
OWINGS MILLS, MARYLAND 21117
(410) 581-8181
DEED REF: 7045/015
TAX MAP: 70 GRID 15 PARCEL: 158
TAX ACCT. NO.: 0210000180
- TOTAL AREA OF SITE: 6.1740 AC +/- OR 268,979 SQ. FT. (NET)
6.0515 AC +/- OR 262,807 SQ. FT. (GROSS)
- TOTAL SITE ZONED: BL-COC & BL-CNS (SEE TABULATION)
- SEE ZONING HISTORY THIS SHEET.
- ELECTION DISTRICT: 2 COUNCILMANIC DISTRICT: 2
- FLOOR AREA RATIO:
ALLOWED: SEE TABULATION
PROPOSED: SEE TABULATION
- AMENITY OPEN SPACE: (BL-COC ONLY)
REQUIRED: 0.2 OR (0.2 X 262,807) = 52,561 SQ. FT.
PROPOSED: 12,000 SQ. FT. / 52,561 SQ. FT. = 0.23
- THE ENTIRE PARKING LOT IS PAVED W/ A BITUMINOUS CONCRETE SURFACE & ALL SPACES TO BE PERMANENTLY STRIPED.
- NO ADDITIONAL FREE-STANDING SIGNAGE IS PROPOSED AT THIS TIME.

PARKING TABULATION:

USE	FLOOR AREA SQ. FT.	TABULATION REQUIREMENT	SPACES BALANCE
RESTAURANT	3,200	1.15 SQ. FT.	64.0
RETAIL	49,236	1.15 SQ. FT.	246.1
LAUNDRAMAT	3,200	1.30 SQ. FT.	10.7
BILLIARDS	1,800	1.30 SQ. FT.	6.0
DRY CLEANER	1,200	1.30 SQ. FT.	4.0
BEAUTY SALON	1,000	1.30 SQ. FT.	2.9
GASOLINE STATION*	1,885	3/SERV. BAY	9.0
CHURCH	6,500	**	64.2
OFFICE, 2ND FLOOR	4,561	1/500 SQ. FT.	2.3
	76,684		430.1
		USE	431

* 3 SERVICE BAYS
** Existing Church: 130 seats @ 1 1/4 seats = 21.7
Addition to Church: 170 seats @ 1 1/4 seats = 42.5
Total Parking Required for Church = 64.2

Students and teachers for Sunday School are Church members and Sunday School classes are not held during hours of Church services.
The Church facilities will not be leased as a catering hall, etc.

TOTAL REQUIRED: 431 SPACES
TOTAL PROPOSED: 310 SPACES

CROSS EASEMENT AGREEMENT FOR INGRESS, EGRESS & PARKING RECORDED
LIBER 6016, PAGE 218

PLAN TO ACCOMPANY VARIANCE

"MARRIOTTSTVILLE PLAZA"

N.E. INTERSECTION LIBERTY ROAD & MARRIOTTSTVILLE ROAD

SECOND ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

DATE: JUNE 8, 1993

SCALE: 1"=50'

SHEET 1 OF 1 PETITIONER'S EXHIBIT

MARRIOTTSTVILLE ROAD
EXISTING 60' R/W
(aka KINGS POINT ROAD)

POINT OF BEGINNING

LIBERTY ROAD MD ROUTE 26
EXISTING 80' R/W

- ADDITIONAL OWNERS:
- AMURSTAN COMPANY
110 RITCHIE ROAD
CAPITOL HEIGHTS, MD 20743
 - BENTON J. PUMPIAN
PO BOX 15016
BALTIMORE, MD 21208
 - RICKY S. SINGER
9815 LIBERTY ROAD
BALTIMORE, MD 21133

NOTES:

- SITE APPROVED FOR USE/PARKING BY BALTIMORE COUNTY PRIOR TO 1988.
- LOCATION OF EXISTING PARKING SPACES RELATIVE TO VEHICULAR TRAVELWAYS SUBJECT TO APPROVAL BY DEVELOPMENT PLAN REVIEW.

COLBERT ENGINEERING INC.
DUMBARTON SQUARE
3723 OLD COURT ROAD, SUITE 206
BALTIMORE, MARYLAND 21208
PHONE: (410) 853-3838

NO.	DATE	REVISION	BY
1	7/6/93	ADDED 1.65 AC PARCEL	MD
2	7/20/93	ZONING, F.A.R., A.P.D., TRAIL TABULATIONS, NOTES	SLD



DESIGNED BY	SKD	CHECKED BY	KWC	DATE	JUNE 1993	SCALE	1"=50'
DRAWN BY	SLD	DATE	05047				

94-35-A

1. CASE NO. 60-100-R
PETITION FOR ZONING RECLASSIFICATION FROM
R-10 TO R-20 TO PL-1. GRANTED: 12-19-68
RESTRICTIONS: SUBJECT TO SITE PLAN APPROVAL
OF STATE PLANNING COMMISSION, OFFICE OF PLANNING &
& ZONING, BUREAU OF PUBLIC SERVICES, BALTIMORE
COUNTY HEALTH DEPT. & THE BALTIMORE COUNTY FIRE
DEPARTMENT. APPEALED: 1-30-69. APPEAL DENIED
7-12-69. APPEAL DENIED 9-60. APPEAL DENIED
7-12-69. APPEAL DENIED 9-60. APPEAL DENIED
7-12-69. APPEAL DENIED 9-60. APPEAL DENIED
7-12-69.
2. CASE NO. 74-127-X
PETITION FOR A SPECIAL EXCEPTION TO PERMIT
TYPE (2) 12-20 ILLUMINATED ADVERTISING
STRUCTURES. DENIED.
3. CASE NO. 70-45-R
PETITION FOR ZONING RECLASSIFICATION FROM
R-6 AND R-10 TO DL-CMS. GRANTED: 9/8/69
RESTRICTIONS: NONE

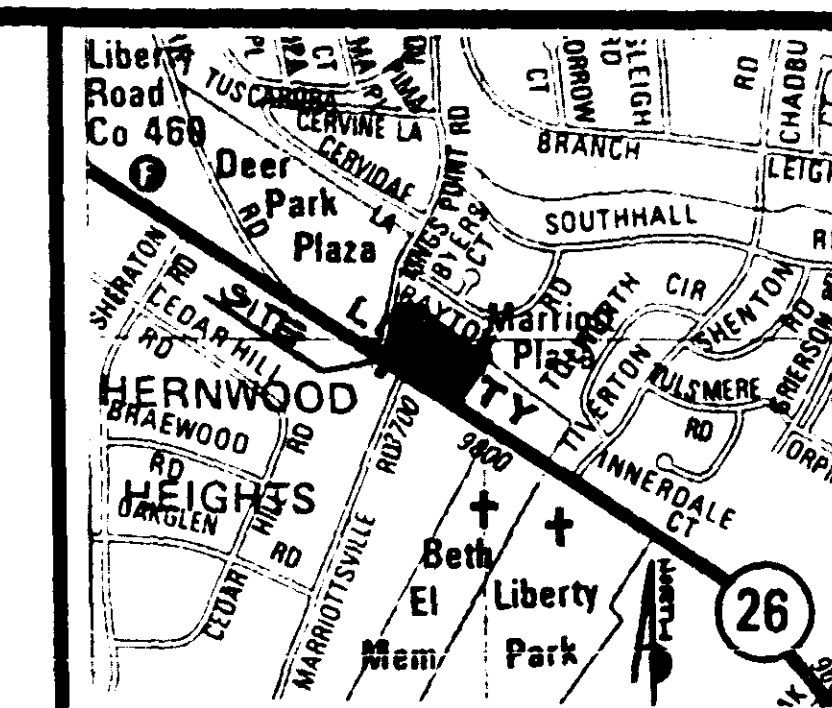
A. CASE NO. 180-73-A
PETITION FOR A ZONING VARIANCE TO PERMIT A FRONT
YARD SETBACK OF 12 FEET IN HOU OF THE REQUIRED
31.5 FEET FOR AN EXISTING SNOWBALL STAND. DENIED
10-10-88.

VARIANCES REQUESTED :

1. VARIANCE TO SECTION 400.6.A.2. OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 310 PARKING SPACES IN LIEU OF THE REQUIRED 431 PARKING SPACES.

TABULATION :

ZONING:	BL-CCC	4.4845 Ac +/-	6.0514 Sq. Ft. +/-	1.0277 Acres
		5.1293 Ac +/-	6.9154 Sq. Ft. +/-	0.7685 Acres
	BL-CNS	1.6907 Ac +/-	23,124 Sq. Ft. +/-	0.0477 Acres
		1.8422 Ac +/-	25,924 Sq. Ft. +/-	0.0522 Acres
FLOOR AREA RATIO:				
	BL-CCC	ALLOWED: 4.0		
		PROPOSED: 59.1	100,000	3.12 +/- 4.0 +/-
	BL-CNS	ALLOWED: 3.0		
		PROPOSED: 17.6	31,244	2.22 +/- 3.0 +/-



VICINITY MAP
SCALE: 1" = 4000'

GENERAL NOTES

1. OWNER/APPLICANT: STANLEY ORLONE
~~11403 CROWN HILL DRIVE - STE. H~~
 11403 CROWN HILL DRIVE - STE. H
 OWINGS MILLS, MARYLAND 21117
 (410) 581-8181
 DEED REF.: 70445/015
 TAX MAP: 70 GRD. 5 PARCEL: 13B
 TAX ACCT. NO.: 0210000180
2. TOTAL AREA OF SITE: 6.1745 AC ± OR 268,979 SQ. FT. (NET)
 6.0515 AC ± OR 262,270 SQ. FT. (GROSS)
3. TOTAL SITE ZONED: BL - CC4 & BL - CHS (SEE TABULATION)
4. SEE ZONING HISTORY THIS SHEET.
5. ELECTION DISTRICT: 2 COUNCILMANIC DISTRICT: 2
6. FLOOR AREA RATIO:
 ALLOWED: SEE TABULATION
 PROPOSED: SEE TABULATION
7. MINIMUM OPEN SPACE: (BL - CC4 ONLY)
 REQUIRED: 0.2 OR (0.2 × 50263) = 11053 SQ. FT.
 PROPOSED: 11200 SQ. FT. / (50263 SQ. FT. × 0.20 = 0.20, O.K.)
8. THE ENTIRE PARKING LOT IS MAVED W/A BITUMINOUS CONCRETE SURFACE & ALL SPACES TO BE PERMANENTLY STRIPED.
9. NO ADDITIONAL FREE-STANDING SIGNAGE IS PROPOSED AT THIS TIME.

PARKING TABULATION :

TENANT USE	FLOOR AREA SQ. FT.	VAPORIZATION PERCENTAGE	SPACE REQUIRED
RESTAURANT*	3,200	1/50 SQ. FT.	64.0
RETAIL	49,236	1/200 SQ. FT.	246.2
LAUNDRAMAT*	3,200	1/300 SQ. FT.	10.7
BILLIARDS	1,810	1/300 SQ. FT.	6.0
DRY CLEANER	1,270	1/300 SQ. FT.	4.2
BEAUTY SALON	5,000	1/300 SQ. FT.	16.7
GASOLINE STATION*	1,485	3/SERV. BAY	9.3
CHURCH	6,530	**	64.0
OFFICE, 2ND FLOOR	16,562	1/500 SQ. FT.	33.1
	76,594		430.1

* = 3 SERVICE DAYS
 ** Existing Church: 130 seats @ 1/6 seats = 21.7
 * Addition to Church: 170 seats @ 1/4 seats = 42.5
 Total Parking Required for Church = 64.2
 Students and teachers for Sunday School are Church members
 and Sunday School classes are not held during hours of
 Church services.
 The Church facilities will not be leased as a catering hall,
 etc.
 TOTAL REQUIRED: 431 SPACES
 TOTAL PROPOSED: 330 SPACES
 CROSS EGRESS AGREEMENT FOR INGRESS, EGRESS & PARKING RECOMMENDED
 1/26/86 PAGE 10

PLAN TO ACCOMPANY VARIANCE

"MARRIOTTSVILLE PLAZA"

NE INTERSECTION LIBERTY ROAD & MARIOTTSVILLE ROAD

SECOND ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

DATE: JUNE 8, 1993

SCALE : 1" = 50'

SHEET 1 OF 1

COLBERT ENGINEERING INC.

DUMBARTON SQUARE
3723 OLD COURT ROAD, SUITE 206
BALTIMORE, MARYLAND 21208
PHONE:(410)653-3838

NO.	DATE	REVISION	B
1	7/6/03	ADDED 60 AC PARCEL	MO
2	7/20/03	ZONING PARCEL F.A.R., A.P.S., TRAIL ENO, BROTHERS	SL



ADDITIONAL OWNERS:

1. AMURSTAN COMPANY
110 RITCHIE ROAD
CAPITOL HEIGHTS, MD 20743
2. BENTON J. PUMPIAN
PO BOX 15018
BALTIMORE, MD 21208
3. RICKY S. GINGER
9918 LIBERTY ROAD
BALTIMORE, MD 21133

NOTES :

- SITE APPROVED FOR USE/PARKING BY BALTIMORE COUNTY PRIOR TO 1988.
- LOCATION OF BUSTING PARKING SPACES RELATIVE TO VEHICULAR TRAVELWAYS SUBJECT TO APPROVAL BY DEVELOPMENT PLAN REVIEW.

**PETITIONER'S
EXHIBIT 2**